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REMARKS

The Examiner has maintained the rejection of Claim 57 under 35 U.S.C. 112, first and second paragraph, by simply reiterating that "[i]t is unclear how an Internet connection can be opened if the Internet is closed." Applicant again respectfully disagrees with such rejection, since applicant claims that "said closure of said Internet permits an Internet connection only to a website specified by said Internet-ready device" (emphasis added). It is thus readily apparent that applicant does not claim a "complete" closure, but rather a partial one that specifically permits an Internet connection only to a website specified by the Internet-ready device.

Applicant notes that the Examiner has reformulated the previous rejection by simply removing the Imai et al. (U.S. Patent No. 5,726,769) reference from the same. Specifically, the Examiner now rejects Claims 1-12, 18-38 and 44-57 under 35 U.S.C. 102(e) as being anticipated by Vaziri et al. (U.S. Patent No. 6,377,570). Applicant respectfully disagrees with such rejection.

With respect to independent Claim 52, the Examiner has relied on the following excerpts from Vaziri to make a prior art showing of applicant's claimed "user interface block [used] to connect to said Internet-ready device" (see Claim 52).

"Other than the user pressing a button (either on the ISB or telephone keypad) to initiate the Internet telephone call, the ISB takes care of all connection procedures (i.e., handshaking) necessary to set up and maintain the Internet telephone call. While both parties must possess an ISB in order to take advantage of the ISB's IT capabilities, only one party needs to initiate the telephone call in order to establish the Internet connection, so that prearrangement is not required." (Col. 3, lines 33-37)

"FIG. 4 shows the back or bottom view of an ISB. Back or bottom panel 402 can include telephone jack 404 for connection to telephone 211, telephone jack 406 for connection to telephone line 212, optional port (serial, parallel, universal serial bus (USB), etc.) 408 for connection to another device such as a PC, and power jack 410." (Col. 12, lines 1-6; see also Figure 4)

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In the latest Office Action dated 1/27/06, the Examiner has responded to applicant's arguments by relying on Vaziri's disclosure of a help desk computer or data terminal (item 908 of Figure 9) to meet applicant's claimed "Internet-ready device." Applicant respectfully asserts that, if the Examiner now relies on the help desk computer of Vaziri to meet applicant's claimed "Internet-ready device," the remaining claim elements are simply not met.

Specifically, the help desk computer in Vaziri uses an Internet switch box (ISB) to connect to the Internet. As shown in Figure 9, the ISB 100HD is separate from the help desk computer 908. Furthermore, Vaziri even discloses that the "specially equipped ISB 100HD [is] connected to [the] computer or data terminal 908 via a serial port or other connection such as serial port 408 of Figure 4" (see Col. 22, lines 27-33). Applicant notes that Vaziri only teaches that the ISB may be integrated within the telephone, but not within the help desk computer (see Col. 3, lines 21-23). Thus, Vaziri does not teach an "apparatus for a user to connect to an Internet-ready device to the Internet, where said apparatus is embedded into said Internet-ready device" and where the apparatus comprises "a user interface block to connect to said Internet-ready device," as claimed by applicant (emphasis added).

With reference to independent Claims 1 and 27, the Examiner has relied on the following excerpt from Vaziri to make a prior art showing of applicant's claimed "protocol handler block for receiving and handling messages from said user interface and from said Internet-ready device" (see this or similar, but not identical language in each of the foregoing claims).

"Checking and sending messages will now be explained with reference to FIGS. 7D and 7E. To check messages, the user dials #3 to enter message checking through the menu. The ISB connects to the ISP and then connects through ISP 706 and Internet 712 to POP server 716. Once this last connection is achieved, the ISB downloads and plays the first message. The user can then dial 1 to repeat, 2 to go to the next message or 3 to erase a message, much as he would with an answering machine. To send a message, the user dials #4, whereupon the ISB connects to the ISP and then connects through ISP 706 and Internet 712 to SMTP server 718 (the function of the SMTP server having been described above). The

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user can then record a message and then send it via the SMTP server to the recipient's e-mail address. The ISB can be configured to impose a time limit on outgoing messages (e.g., 60 seconds). The ISB can also be configured to poll the ISP periodically (e.g., four times a day or some other interval which is either set in the factory or programmed by the user) to check for message and to give an indication to the user via an LED or the like when messages are waiting.

The ISB can also be configured to poll the ISP periodically (e.g., four times a day or some other interval which is either set in the factory or programmed by the user), whenever a call is completed over IP, or both to check for message and to give an indication to the user via an LED or the like when messages are waiting. In one configuration, polling takes place only when all three of the following conditions are satisfied: (1) the polling period set in the ISB has expired, (2) the telephone has not been in use in the last two minutes and (3) no ring signal has been received in the last two minutes. Of course, the ISB can be equipped with an internal clock, such as those used in conventional IBM-compatible PCs, to allow periodic polling.

Each voice mail message is stored on the recipient's POP server in the form of an e-mail message with the sender's e-mail address listed in the "From:" field, a standard subject such as "ISB voice mail message" and a MIME attachment of the voice mail message in an appropriate sound file format. If the recipient checks his e-mail on the POP server with a conventional e-mail program such as Eudora, he will see such message interspersed among conventional e-mail messages. The ISB can distinguish the voice mail messages from the conventional e-mail messages by the subject." (Col. 17, line 57 - col. 18, line 33)

Applicant respectfully asserts that the above excerpt from Vaziri only relates to messages from a telephone, not an "Internet-enabled device," as claimed (again, note that the Examiner now relies on Vaziri's help desk computer to meet applicant's claimed "Internet-enabled device"). Further, the messages of the above excerpt do not relate to messages from a "user interface" of an "apparatus for a user to connect an Internet-ready device to the Internet," as claimed, especially since the messages in Vaziri are from a telephone, and not from the help desk computer, as relied on by the Examiner. Thus, in no way is there even a suggestion of any sort of "protocol handler block for receiving and handling messages from said user interface and from said Internet-ready device," in the manner claimed by applicant (emphasis added). Applicant asserts that such use of Vaziri as a dictionary (i.e. by relying on a help desk computer as an Internet-enabled device and then relying on the functionality of a telephone) is simply inappropriate, and is further evidence that the prior art of record simply does not meet applicant's claims.

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Still with respect to independent Claims 1 and 27, the Examiner has relied on Figure 3 elements 304, 306, 307 and 311 along with Col. 11, lines 11-22 in Vaziri to make a prior art showing of applicant's claimed "indicators to indicate to said user that said passing of information that was initiated by said user is complete." Applicant emphasizes, however, that in the last Office Action dated 11/3/05, the Examiner admitted that Vaziri did not teach such claim language (see page 5 of the foregoing Office Action).

Nevertheless, applicant respectfully asserts that Vaziri expressly discloses that elements 304, 306, 307 and 311 are LEDs located on the ISB, and that such "LEDs may be used to indicate whether the power is on or off, the status of an Internet call attempt and whether any messages are waiting" along with "whether the menu feature is in use or whether an upgrade to the ISB software is available." Clearly, none of the functions taught by Vaziri meet applicant's claimed "indicators to indicate to said user that said passing of information that was initiated by said user is complete" (emphasis added).

With additional reference to independent Claims 1 and 27, the Examiner has relied on the following excerpt from Vaziri to make a prior art showing of applicant's claimed protocol handler block for receiving and handling messages from said user interface and from said Internet-ready device, and for "sending on said handled messages to a network stack block" (see this or similar, but not identical language in each of the foregoing claims).

"More specifically, the ISB stores device, server, billing, and owner information and a friends directory. The device information is typically programmed into the ISB at the factory and includes the serial number, the manufacturing date, the hardware version, the software version, and the feature key, which identifies those features which the ISB implements. The server information includes the IP addresses for the various servers which the ISB needs to access, such as the primary and backup ISBSSs. The owner information includes the telephone number, the ISP access telephone number, any scripting required to log onto the ISP, logon name and password, the domain names or IP addresses for the SMTP and POP servers for e-mail, the e-mail address, and the e-mail password. The SMTP server implements the simple mail transfer protocol (SMTP) for sending e-mail, while the POP server implements the post office protocol (POP) for receiving e-mail.

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Many ISPs use the same server for both protocols. Other mail protocols exist and can be used instead." (Col. 13, lines 13-31)

Applicant respectfully asserts that the above excerpt from Vaziri only relates to information with respect to the device, server, billing, owner information and friends directory that the Internet switch box (ISB) stores. Further, by virtue of the above arguments, there is not even a suggestion of any sort of messages, let alone sending handled messages from said user interface and from said Internet-ready device to a network stack block, in the manner claimed by applicant.

In the latest Office Action dated 1/27/06, the Examiner has stated that such excerpt in Vaziri teaches that "the ISB stores server information...the server information includes the IP address for various servers which the ISB needs to access...the domain names or IP addresses for the SMTP and POP servers for e-mail...the SMTP server implements the simple mail transfer protocol (SMTP) for sending e-mail, which the POP server implements the post office protocol (POP) for receiving e-mail." Applicant again respectfully disagrees and asserts that the ISB only stores "device, server, billing, and owner information and a friends directory," none of which meet any sort of "sending on said handled messages," as applicant specifically claims (emphasis added).

The Examiner is reminded that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, the identical invention must be shown in as complete detail as contained in the claim. *Richardson v. Suzuki Motor Co.* 868 F.2d 1226, 1236, 9USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim.

This criterion has simply not been met by the Vaziri reference, as noted above. Thus, a notice of allowance or a specific prior art showing of each of the foregoing claimed features, in combination with the remaining claimed features, is respectfully requested.

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Applicant further notes that the prior art is also deficient with respect to the dependent claims. Just by way of example, with respect to Claim 11 et al., the Examiner has relied on Col. 3, lines 64-66 in Vaziri to make a prior art showing of applicant's claimed apparatus "added easily to any of, but not limited to: set-top-boxes; Ethernet hubs; and hubs that are attached to new home networking standards." Applicant respectfully asserts that such excerpt only teaches that the "ISB may be incorporated into a telephone." Clearly, a telephone, as solely disclosed in Vaziri, does not meet applicant's claimed "set-top-boxes; Ethernet hubs; and hubs that are attached to new home networking standards."

With respect to Claim 15 et al., as rejected under 35 U.S.C. 103(a) as being unpatentable over Vaziri in view of Himmel et al. (U.S. Patent No. 6,480,852), the Examiner has relied on Col. 14, line 55-Col. 15, line 2 in Vaziri to make a prior art showing of applicant's claimed "key code for passing from said Internet-ready device to said Internet, whereupon a pre-agreed upon algorithm is used to generate a response, whereupon said response is sent back to said Internet-ready device, thereby authenticating said Internet connection to said Internet-ready device."

Applicant respectfully asserts that such excerpt only generally teaches that the "ISB and the ISP perform any authentication procedure required" and that "the ISB and the ISP then start communication by PPP, and PAP (the password authentication protocol) is carried out if no authentication has been performed before." Clearly, only generally mentioning an authentication procedure and a default password authentication protocol, as in Vaziri, does not meet applicant's specific claim language, namely that "a pre-agreed upon algorithm is used to generate a response, whereupon said response is sent back to said Internet-ready device, thereby authenticating said Internet connection to said Internet-ready device" (emphasis added).

With respect to Claim 16 et al., as rejected under 35 U.S.C. 103(a) as being unpatentable over Vaziri in view of Himmel et al. (U.S. Patent No. 6,480,852), the

Examiner has again relied on Col. 14, line 55-Col. 15, line 2 in Vaziri to make a prior art showing of applicant's claimed "used in reverse to prevent unauthorized Internet-ready devices from accessing a particular site." Applicant respectfully asserts that such excerpt from Vaziri only relates to authenticating an ISB with an ISP, and not "to prevent unauthorized Internet-ready devices from accessing a particular site," as applicant claims (emphasis added).

Since the Vaziri reference, when taken alone or in combination with Himmel, fails to teach or suggest all of applicant's claim limitations, as noted above, a notice of allowance or a proper prior art showing of all of applicant's claim limitations, in combination with the remaining claim elements, is respectfully requested.

Thus, all of the independent claims are deemed allowable. Moreover, the remaining dependent claims are further deemed allowable, in view of their dependence on such independent claims.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. NVIDP322_P001314).

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